

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39697 of 2017

Arising Out of PS.Case No. -320 Year- 2016 Thana -DARIYAPUR District- SARAN

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1. Sunaina Devi W/o Krishna Prasad Yadav, R/o Village- Akbarpur, P.S.-
Dariyapur, District- Saran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Sinha

For the Opposite Party/s : Mr. Anish Chandra

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 09-10-2017 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

Petitioner is languishing in judicial custody since
10.01.2017 in connection with S.Tr. No. 315 of 2017, arising out
of Dariyapur P.S. Case No. 320 of 2016 for offences punishable
under Sections 302, 201, 120-B of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that while she was in her parental house she got information from
the petitioner, who is her sautan, that her son Dipak Kumar
(deceased) had gone to pick her up but he did not arrive and then
she was informed by her husband that her son Dipak Kumar has
been killed and his body has been disposed off.



It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and being sautan of the informant she has been falsely implicated in the aforesaid case. He submits that the petitioner has not been named in the First Information Report and it is only because of certain dispute that the petitioner has been made accused. He further submits that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner.

However, learned counsel appearing for the informant submits that the husband of the petitioner, who is also husband of the informant, has stated in paragraph 17 of the case diary that the petitioner had revealed that she had given money to one Dinesh Kumar for committing the said offence. He submits that the confessional statement of Dinesh Kumar and own confessional statement of the petitioner reveals that the petitioner gave money for eliminating the son of the informant because the deceased was the step-son of the petitioner and there was property dispute.

Learned APP for the State also opposes the prayer for bail.

Considering the facts and circumstances and the



materials on record, I am not inclined to grant privilege of bail to the petitioner at this stage in connection with S.Tr. No. 315 of 2017, arising out of Dariyapur P.S. Case No. 320 of 2016, pending in the court of learned Addl. District and Sessions Judge-II, Saran at Chapra.

Application is, accordingly, rejected. However, learned court below is directed to expedite the trial as the petitioner is a lady.

(Nilu Agrawal, J)

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